

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

OCT 26 2009

JOHN H. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

CHARLES F. LAYMAN,

Plaintiff

CIVIL No. 3:09cv00017

v.

MICHAEL J. ASTRUE, COMMISSIONER OF
SOCIAL SECURITY,

Defendant

ORDER

JUDGE NORMAN K. MOON

On July 28, 2009, I referred this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. The parties subsequently filed cross motions for summary judgment [docket nos. 12, 14]. On October 1, 2009, the Magistrate Judge filed a Report and Recommendation ("Report") [docket no. 16]. In the Report, Judge Crigler recommends that the Commissioner's final decision be affirmed and that Defendant's motion for summary judgment be granted. Upon my review of the record, and no objection to the Report and Recommendation having been filed within ten days of its service upon the parties, the Report and Recommendation [docket no. 16] is hereby ADOPTED in its entirety, Defendant's motion for summary judgment [docket no. 14] is hereby GRANTED, and Plaintiff's motion for summary judgment [docket no. 12] is hereby DENIED. Accordingly, this case will be stricken from the active docket of the Court.

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to Judge Crigler.

It is so ORDERED.

ENTER: This 26th day of October, 2009.

Norman K. Moon
NORMAN K. MOON
UNITED STATES DISTRICT JUDGE